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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/961,268	09/25/2001	Mitsuo Yasushi	Q66379	8047

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EXAMINER

REFAI, RAMSEY

ART UNIT PAPER NUMBER

2152

DATE MAILED: 11/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/961,268

Applicant(s)

YASUSHI ET AL.

Examiner

Ramsey Refai

Art Unit

2152

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 August 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 and 6-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

Responsive to Amendment filed August 7, 2006. Claims 3, 7, and 9 have been amended. Claim 5 was canceled. Claims 10 and 11 are new. Claims 1-4 and 6-11 are now presented for examination.

Response to Arguments

1. Applicant's arguments have been fully considered but they are not persuasive.

- In the remarks, the Applicant argues in substance that:

Argument A: *Mehring does not suggest data or a table indicating types of data, which an access is granted/denied for each plurality of user devices.*

In response, the Examiner respectfully disagrees. Mehring teaches a user profile is created from user data that determines access levels for particular product/services that the user is entitled to. A list of eligible content from the restricted data, in which the user may select a particular product/service, is determined based on the user contract and the particular products the user has at a particular facility or based on the equipment the user possesses. (See abstract, column 15, lines 2-15, column 14, lines 44-63, column 2, lines 21-25) The user gains access to restricted data by providing user credentials and also by checking the user profile, which comprises a user type, operative user modality and a user status. (See column 14, lines 44-61) Therefore, Mehring meets the scope of the claimed limitations.

Argument B: *Mehring fails to teach the access right is set for each user in units of user groups.*

In response, the Examiner respectfully disagrees. Mehring teaches a community management database which includes remote site data, contract or subscription data, contact or user data and business rules such as community definitions. Community refers to a group of users having a

Art Unit: 2152

particular set of access rights. Therefore Mehring meets the scope of the claimed limitation.

(See column 8, lines 9-15).

Claim Rejections – 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

3. Claim 3, 4, 7, 9-11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- Claims 3, 7, and 9-11 recite the limitation "each user". There is insufficient antecedent basis for this limitation in the claim.
- The limitation “ *in accordance with an operation of each user utilizing said database*” in claims 10 and 11 is indefinite because the term is incomprehensible. It is not clear what this limitation means and the use of this indefinite limitation therefore renders claims 10 and 11 vague and indefinite. Clarification is respectfully requested.

Claim Rejections – 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Art Unit: 2152

5. Claims 1-4 and 6-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Mehring et al (U.S. Patent No. 6,609,115).

6. As per claim 1, Mehring et al teach a data communication system comprising a server having a first storage device in which a database, which stores a plurality of data types, is formed, and a plurality of client devices for connecting to said server through a network line, wherein (abstract):

each of said plurality of client devices has transmitting means for transmitting a data read request to said server (column 2, lines 22-23; users seeking access), and

said server has:

access right holding means for previously holding an access right table which indicates types of data to which an access is granted/denied for each said plurality of client devices with respect to the plurality of the data types in said database (column 2, lines 35-42, column 14, lines 44-63, column 15, lines 35-40; database contains user data on what security level should be provided for access to products/services);

device identifying means responsive to receipt of a data read request sent from said transmitting means through said network line for identifying one client device which has transmitted the received data read request of said plurality of client devices (column 14, lines 44-63; identifying user by information pertaining to a particular system used by the user; column 2, line 25; depending on the equipment the user possesses);

determining means for determining in accordance with the access right information held in said access right holding means whether or not data corresponding to said received data read request is a type of data accessible from said one client device (column 2, lines 13-60, column

Art Unit: 2152

14, lines 44-63; identifying user by information pertaining to a particular system used by the user); and

means for granting an access to the data corresponding to said received data read request in the database of said first storage device to said one client device if a result of the determination by said determining means indicates an accessible type (column 2, lines 13-60; column 15, lines 5-10).

7. As per claims 2 and 4, Mehring et al teach wherein said device identifying means requests a user identification code and a password of said one client device, and identifies said one client device in accordance with the user identification code and the password sent from said one client device (abstract, column 2, lines 13-60).

8. Claims 3, 7, and 9 are similar to the above claim 1 but further teach wherein an access right is set for each user in units of user groups, taught by Mehring et al in column 8, lines 13-15.

9. As per claims 6 and 8, these claims contain similar limitations as claim 1 above, therefore are rejected under the same rationale.

10. As per claims 10 and 11, Mehring et al teach wherein said server further has access right setting means for setting access right for each of said plurality of client devices in accordance with an operation of each user utilizing said database, to form the access right table in said database (column 2, lines 21-25; user access based on the equipment the user possesses, column 8, lines 28-37, column 15; lines 35-42; user profiles are created from user data, which contain info on what product/service the user is entitled to).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Schneider et al (U.S. Patent No. 6,785,728)

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

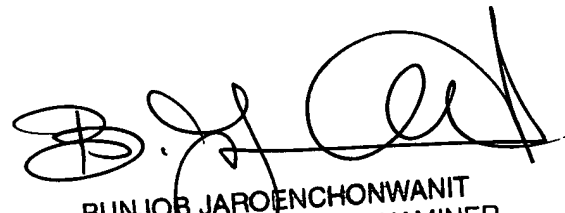
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramsey Refai whose telephone number is (571) 272-3975. The examiner can normally be reached on M-F 8:30 - 5:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on (571) 272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2152

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Ramsey Refai
Examiner
Art Unit 2152
October 28, 2006



BUNJOB JAROENCHONWANIT
SUPERVISORY PATENT EXAMINER